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### REMARKS

Claims 1-20 are pending in this application with claims 1-19 being retained. The Examiner objected to claims 3 and 4 due to minor informalities. Regarding the merits, the Examiner rejected claims 1-7, 9-14, and 16-20 under 35 U.S.C. § 102(e) as anticipated by the Brine reference (U.S. Application 20020160865). Additionally, the Examiner rejected claims 8 and 15 under 35 U.S.C. § 103(a) as obvious over the Brine reference.

#### The Objections To The Claims:

The Examiner objected to claims 3 and 4 due to minor informalities. In response, the Applicant has adopted the Examiner's suggestions and has amended claims 3 and 4 accordingly. The Applicant appreciates the Examiner's assistance in this matter. It is therefore submitted that objections to the claims have been overcome.

#### The Section 102(e) Claim Rejections:

The Examiner rejected claims 1-7, 9-14, and 16-20 under 35 U.S.C. § 102(e) as anticipated by the Brine reference (U.S. Application 20020160865).

#### Claim 1:

Independent claim 1 requires a lacrosse head including a pair of opposing sidewalls, a base portion connecting the bottom ends of the sidewalls, and a scoop portion connecting the top ends of the sidewalls. A pair of opposing flaps are each in communication with the sidewalls and extend generally inwardly therefrom toward a centerline of the lacrosse head. Each flap has an upper portion attached to a respective one of the sidewalls and a lower portion. The lower portion of each of the flaps is coupled to a netting such that the lower portions of the flaps remain spaced apart from one another. The pair of opposing flaps are utilized for channeling a lacrosse ball into a decreased pocket size area of said netting for improving throwing accuracy and enhancing ball retention of the lacrosse head. One skilled in the art will understand that the smaller-sized pocket is beneficial for improving ball control and throwing accuracy.

Conversely, the Brine reference (Figure 5A) is directed to a one-piece injection molded pocket having a pocket member 202 and a series of vertical members 204

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extending from the pocket member 202. The pocket member 202 spans the distance between the sidewalls 12, 14 and has a partial outline shape that conforms generally to the inside of the head frame scoop 16. (Paragraph [0035]). In view of the Brine reference, it is understood that the disclosed construction is a lacrosse head pocket for throwing a lacrosse ball therefrom.

This is different that Applicants' claimed invention which requires flaps, which do not form a portion of the netting or pocket and do not extend from one sidewall to the other. Instead, the flaps are structures, which are utilized for channeling a lacrosse ball into the pocket. For this reason alone, the molded pocket of the Brine reference is substantially different than the recited flaps and deflecting members, and therefore claim 1 is allowable over the art. It is also submitted that claims 2-8, which depend from claim 1, are allowable for the same reasons.

**Claim 9:**

Independent claim 9 further requires that the flaps extend generally downwardly below the lower rim of the opposing sidewalls. This construction is beneficial for providing a deeper product and/or the tactile feedback regarding the position of the ball in the lacrosse head. This configuration is also not taught or suggested by the Brine reference. Specifically, the Brine reference does not teach or suggest independent flaps that extend both inwardly away from a lower rim of the sidewall as well as downwardly to a distance beneath the lower rim.

For this additional reason, the Applicant respectfully submits that claim 9 is novel and allowable over the Brine reference for this additional reason and that claims 10-15, which depend from claim 9, are allowable for the same reasons provided above in connection with claim 9.

**Claim 16:**

Independent claim 16 recites a lacrosse head having a pair of opposing sidewalls, a base connecting the bottom ends of the sidewalls, a scoop connecting the top ends of the sidewalls, a pair of opposing deflecting members extending generally inwardly

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from respective sidewalls and coupled thereto by an overmolding process, and a netting coupled to the deflecting members. The deflecting members are utilized for directing a lacrosse ball into the netting. It is understood that the netting forms the pocket from which the ball is thrown. The pair of opposing flaps are utilized for directing a lacrosse ball into the netting for improving throwing accuracy and enhancing ball retention of the lacrosse head. The pair of opposing sidewalls, the base portion, and the scoop portion form a one-piece integral frame element.

Initially, the Brine reference does not teach or suggest a pair of deflecting members that are coupled to the sidewalls by an overmolding process. Further, the Brine reference does not teach a pair of opposing deflecting members that extend toward one another, but are not connected to each other across the pocket area. Additionally, Brine does not teach a configuration where the sidewalls, the scoop, the base, and the recited flaps or deflecting members comprise a one-piece frame element.

It is therefore submitted that claim 16 are allowable over the Brine reference and that claims 17-19, which depend therefrom, are allowable for the same reasons.

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**Conclusion:**

It is respectfully submitted that all objections and rejections of record have now been overcome and that all pending claims 1-19 and 21-23 are in condition for allowance. A Notice of Allowance is therefore earnestly solicited.

If the Examiner should have any questions, the Applicant invites the Examiner to telephone the undersigned attorney at (248) 223-9500.

Respectfully submitted,  
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